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APPLICATION NO.	F	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,058	0/725,058 12/02/2003		Masayuki Kawazoe	100021-00136	2952
4372	7590	01/30/2006		EXAMINER	
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SUITE 400	NECTICU	T AVENUE, N.W.	ART UNIT	PAPER NUMBER	
WASHING	WASHINGTON, DC 20036			1713	
				DATE MAILED: 01/30/200	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application Application									
Examiner Net Unit Net Wu		Application No.	Applicant(s)						
Nes Wu		10/725,058	KAWAZOE ET AL						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Estamoso of time may be available under the aprovision of 3° CFR 1.13(a). In covers, however, may arely be timely field If NO period for reply is people above, the maximum statution period will apply and will expire SIX (b) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply its people. Failure to reply within the set or extended period for reply and will reply liked, may reduce any settle reply settle that the settle s	Oπice Action Summary	Examiner	Art Unit						
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Exercision of time may be available under the provisions of 37 cFt 1.13(b). In no event, however, may a reply be timely field after SIX (b) WORTHS from the mailing date of this communication of 37 cFt 1.13(b). In no event, however, may a reply be timely field after SIX (b) WORTHS from the mailing date of this communication of the six (b) work of the mailing date of this communication. Plants to represent the adjustment. See 37 CFR 1.79(b). Status 1) Responsive to communication(s) filed on 21 November 2005. 2a) This action is FINAL. 2b) This action is finAL. 2b) This action is finAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.8 is/are pending in the application. 4) Of the above claim(s) is/are allowed. 4) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * O.) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Appl		ears on the cover sheet with the c	orrespondence ad	ldress					
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DETAILED ACTION

Applicant's Amendments, Remarks and Terminal Disclaimer filed on November 21,
 has been received and acknowledged.

The objection of Specification in the prior Office Action dated on August 5, 2005 is withdrawn according to the applicant's Remarks filed on November 21, 2005.

The 112 2nd paragraph, rejection for claims 3 and 7 in the prior Office Action dated on August 5, 2005 is withdrawn in response to the applicant's Amendments filed on November 21, 2005.

However, the Terminal Disclaimer has been disapproved because the Attorney is not of record. Hence, claims 1-8 still remain pending.

Double Patenting

- (2). The text of those sections of Title Double Patenting not included in this Office Action can be found in the prior Office Action dated August 6, 2005.
- (3). Claims 1-4 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. US006652641B2 (Kawazura) in view of Hare et al (US003491052) alone, or together with Chen (EP1321488A1) or Schmiegel (WO9823653A1) for the same rationale cited on pages 3 and 4 in the prior Office Action dated August.6, 2005.
- (4). Claims 5-8 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. US006652641B2 (Kawazura)

in view of Hare et al (US003491052) for the same rationale cited on pages 4-6 in the prior Office Action dated August 6, 2005.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ives Wu whose telephone number is 571-272-4245. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Ives Wu Art Unit: 1713

Date: January 23, 2005

DAVID W. WU SUPERVISORY PATENT EXAMINER SECHNOLOGY CENTER 1700